

BOARD OF SUPERVISORS

The monthly meeting of the Board of Supervisors of Upper Macungie Township was held on December 6, 2012, in the Municipal Building at 7:00 P.M. Those present were Chairman Edward J. Earley, Vice-Chairman Samir P. Ashmar, Secretary Kathy A. Rader, Solicitor Andrew Schantz, Township Engineers Dean Haas and Scott Stenroos, Treasurer Barry Moyer, DPW Scott Faust, DCD Ken Molony, Fire Commissioner Grant Grim, Chief Edgardo Colon and Assistant Secretary Owen M. Bastian.

Chairman Edward J. Earley opened the meeting and asked all present to join him in the Pledge of Allegiance to the flag of the United States.

Chairman Earley stated that the minutes of the previous meeting would not be read unless there was some objection. Vice-Chairman Ashmar had two corrections, the first under his report - The recent Hurricane has shown the need for emergency generators at various Township facilities in the Township. Upon a motion by Vice-Chairman Ashmar, seconded by Chairman Earley and unanimously approved the purchase and installation of generators for the three fire stations and the UMT Municipal Building will be made. The costs for any upgrades to come out of the capital reserve fund. Township resident, James Brunell, has offered assistance regarding the size analysis for each generator at the four buildings.
Amendment made to minutes at the December 6, 2012, Board of Supervisors meeting.)

The second correction is under Treasurer Moyer's Budget report. The following is to be added: Several companies within the two townships have expressed interest in corporate contributions. \$50,000 is to be allocated for a portion of said command vehicle in the 2013 Budget. Resident Shohn Montano told of a command vehicle at Lehigh Valley Hospital. It was decided that the Board would take a look at that vehicle.

(Amendment made to minutes at the December 6, 2012, Board of Supervisors meeting.)

Upon motion by Chairman Edward J. Earley, seconded by Vice-Chairman Samir P. Ashmar and unanimously approved it was agreed to dispense with the reading of the minutes of the previous meetings. The minutes of the previous meetings are approved as amended.

Chairman Earley presented the bills for the month of November totaling General Fund \$1,730,008.15 and Sewer Fund \$85,981.65. Upon motion by Chairman Earley, seconded by Secretary Rader and unanimously approved, Treasurer Moyer is authorized to pay the General Fund bills for the month of November in the amount of General Fund \$1,730,008.15 and Sewer Fund \$85,981.65 Mr. Jim Burnell questioned the high bills. Treasurer Moyer explained that two major road projects were completed and the Police building was completed. V-C Ashmar explained that all three Supervisors review the bills before they are approved for payment.

PUBLIC COMMENTS

Doris Fenner complained about the polling place at St. Paul's Lutheran Church. She was directed to the Lehigh County Voter Registration Bureau.

RECREATION BOARD -

Secretary Rader reviewed the Recreation Board report. Copies of the complete report are available on the table in the back of the room. To date \$195.00 in donations have been received for the dog park. V-C Ashmar and Engineer Haas reported that a grant has been applied for to place a water fountain for people and dogs in the dog park.

There is an opening on the Recreation Board. Anyone interested please apply.

PLANNING COMMISSION - No Report

UPPER MACUNGIE TOWNSHIP POLICE REPORT & BERKS/LEHIGH

UMT Police Department - Update - Chief Colon reported - The department will be ready to go on December 31, 2012. Swearing in and promotion ceremonies will occur on Friday December 28, 2012 at 4:00 PM and 7:00 PM. An official Department Dedication ceremony will take place at the Police Administration Building on Tuesday January 15, 2013 at 10:00 AM. The public is invited.

New Police Station - Update - DCD Molony reports that the New Building is complete.

BLRP Police Commission - Update - Vice-Chairman Ashmar - Maxatawny Township has filed a suit against UMT, Topton and Lyons about disposition of the assets of the Commission.

FIRE COMMISSIONER REPORT

Fire Commissioner/Emergency Management Coordinator Grant Grim is with us this evening. His report shows that the fire companies answered 138 emergency responses. The Fire Companies will be making Santa Claus runs the Saturday before Christmas and the Fogelsville Fire Company will make a run on Christmas Day.

PUBLIC WORKS REPORT

DPW Faust reports that leaf collection is completed. Grange Road Park playground equipment is being installed and the park should be ready to go in spring of 2013.

ZONING REPORT

The report of the Zoning Officer, Al Geosits, for the month of November was received and showed 110 permits issued, 12 for new residences, 23 for residential additions/alterations, 0 for new commercial/industrial buildings, 18 for commercial/industrial additions/alterations, 57 miscellaneous, plus 1 electrical license and 1 plumbing license.

In November, the Zoning Hearing Board of Adjustment heard no appeals.

OLD BUSINESS -

Resolution - Intermunicipal Liquor License Transfer

A hearing was held prior to the regular Township meeting to hear comments on the proposed transfer of a liquor license to Kings Restaurant Group, LLC. There were no objectors. Upon a motion by Secretary Rader, seconded by Chairman Earley and unanimously approved it was RESOLVED that RESOLUTION #2012- " A RESOLUTION OF THE TOWNSHIP OF UPPER MACUNGIE, COUNTY OF LEHIGH, COMMONWEALTH OF PENNSYLVANIA, APPROVING THE TRANSFER OF RESTAURANT LIQUOR LICENSE NO. R-712 INTO THE TOWNSHIP OF UPPER MACUNGIE, PENNSYLVANIA" is hereby adopted by the Board of Supervisors of Upper Macungie Township.

NEW BUSINESS

Ordinance #2012-07 - Prohibiting Truck Traffic on Certain Roads

Solicitor Schantz reports that the Ordinance has been advertised and is ready for action by the Board. KCE has done a study that shows trucks should be prohibited due to inadequate road width for large vehicles. Upon a motion by Secretary Rader, seconded by Vice-Chairman Ashmar and unanimously approved it is RESOLVED that ORDINANCE #2012-07, "AN ORDINANCE OF THE TOWNSHIP OF UPPER MACUNGIE, LEHIGH COUNTY, PENNSYLVANIA, AMENDING CHAPTER 15 (MOTOR VEHICLES AND TRAFFIC), PART 2 (TRAFFIC REGULATIONS) OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF UPPER MACUNGIE, AMENDING NO TRUCK TRAFFIC ON CERTAIN STREETS LOCATED WITHIN UPPER MACUNGIE TOWNSHIP; SAID REQUIREMENTS BEING SET FORTH MORE FULLY IN THE BODY OF THIS ORDINANCE" be and is hereby adopted by the Board of Supervisors of Upper Macungie Township.

Ordinance #2012-08 - Modifying Charges for Sewer Rental

Solicitor Schantz reports that the Ordinance has been advertised and is ready for action by the Board. The Ordinance sets the rates for sewer rentals for the year 2013. Upon a motion by Chairman Earley, seconded by Secretary Rader and unanimously approved it is RESOLVED that Ordinance #2012-08 "AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF UPPER MACUNGIE, LEHIGH COUNTY, PENNSYLVANIA, AMENDING CHAPTER 18, PART 1 SECTION 103 OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF UPPER MACUNGIE, PENNSYLVANIA, MODIFYING SEWER RENTALS OR CHARGES FOR USE OF THE SANITARY SEWER SYSTEM OPERATED BY UPPER MACUNGIE TOWNSHIP, UPON OWNERS OF IMPROVED PROPERTIES WHICH ARE CONNECTED TO SUCH SANITARY SEWER SYSTEMS ARE CURRENTLY REFLECTED IN THE SAID CODE OF ORDINANCES OF UPPER MACUNGIE TOWNSHIP, SPECIFICALLY CHAPTER 18, PART 1 SECTION 103" be and is hereby adopted by the Board of Supervisors of Upper Macungie Township.

Ordinance #2012-09 - Modifying Charges for Residential Municipal Solid Waste

Solicitor Schantz reports that the Ordinance has been advertised and is ready for action by the Board. The Ordinance sets the rates for solid waste disposal for the year 2013. Upon a motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved it is RESOLVED that Ordinance #2012-9 "AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF UPPER MACUNGIE, LEHIGH COUNTY, PENNSYLVANIA, AMENDING CHAPTER 20 OF THE CODE OF ORDINANCES OF UPPER MACUNGIE, PART 2, SECTION 209 MODIFYING CHARGES FOR RESIDENTIAL MUNICIPAL SOLID WASTE WITHIN THE TOWNSHIP AS MORE FULLY SET FORTH IN THE BODY OF THIS ORDINANCE" be and is hereby adopted by the Board of Supervisors of Upper Macungie Township.

Resolution - UMT Premium Only Plan

Solicitor Schantz reports that both he and Attorney Tom Heimbach have examined and approved the resolution and recommend it be adopted by the Board of Supervisors. Upon motion by Secretary Rader, seconded by Chairman Earley and unanimously approved it is RESOLVED that Resolution # "A RESOLUTION OF UPPER MACUNGIE TOWNSHIP AUTHORIZING THE AMENDMENT AND RESTATEMENT OF ITS PREMIUM ONLY PLAN" be and is hereby adopted by the Board of Supervisors of Upper Macungie Township.

Morris Court Speed Limit Posting

Traffic Engineer Stenroos reports that the signs have been installed.

Woodmont - KRE Group - Conservation Design/Apartments

Previously a petition was received by the Board of Supervisors from the Woodmont Group requesting that the Township amend the maximum height, number of units per building and maximum size of building for apartments. The Supervisors passed this on to the Planning Commission and staff to consider the request. The Planning Commission and staff considered this should be an amendment to the Conservation Design Ordinance which would provide the same overall density on a smaller portion of land where environmentally sensitive lands exist. Engineer Haas, Solicitor Schantz, and DCD Molony have drafted said amendment to the conservation Design Ordinance for apartments with height, number of units and size providing more building density in return for more conservation preservation. Attorney James Preston appeared on behalf of Woodmont and questioned some of the proposed changes to the separation of units. These were approved by the Board to be revised, as presented. Upon a motion by Secretary Rader, seconded by Chairman Earley and unanimously approved, the proposed changes to the Conservation Design Ordinance, as amended at this meeting, are to be referred to the UMT Planning Commission and the Lehigh Valley Planning Commission for review and comment.

Park Rule Question

Vice-Chairman Ashmar suggested a minor park rule change. Upon a motion by Vice-Chairman Ashmar, seconded by Secretary Rader and unanimously approved Park Rule concerning hand guns is hereby modified to read only that to discharge weapons is hereby prohibited.

January Board of Supervisors Meeting Change

The 2nd Class Township Code requires all Townships to meet the first Monday in January to re-organize for the new year. Upon a motion by Secretary Rader, seconded by Chairman Earley and unanimously approved January 7th at 7 P.M. was set as the date for the annual re-organization meeting with the regular monthly meeting to follow.

PRESENTATION OF THE 2013 TOWNSHIP BUDGET

Treasurer Moyer - The final assessment figures have not yet been received from Lehigh County. The figures we used are close but may not be completely accurate. The new adjusted rate for the Township is .64 mill. It should raise the same revenue as the previous rate. Upon a motion by Chairman Earley, seconded by Vice-Chairman Ashmar and unanimously approved the 2013 Budget is hereby adopted.

CHAIRMAN EARLEY - Nothing more

VICE-CHAIRMAN ASHMAR

Thanked Mr. Jim Burnell for his help in the study of three Township fire unit facilities and the Municipal building need for generators.

SECRETARY RADER -

Executive session: December 6, 2012 @6 PM - Personnel issues



The Fogelsville tree lighting ceremony will be held on Sunday December 9 at 6 PM in the Church St. Park.

PUBLIC COMMENT

Mr. Philip DelVecchio asked about the result to the Township if the City of Allentown sells the Water and Sewer service to an outside vendor. The effect on the Township is unknown. Solicitor Schantz will check.

Doris Fenner asked about street markings on Trexler Road.

Upon motion by Chairman Earley, seconded by Secretary Rader and unanimously approved the meeting was adjourned at 8:15 P.M. , next regular meeting Monday, January 7, 2013 at 7 P.M.

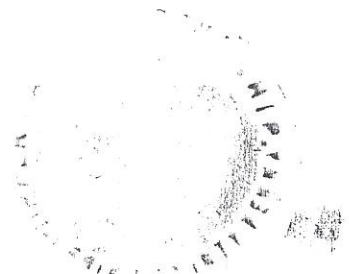

Kathy A. Rader, Secretary

Board of Supervisors

The Board of Supervisors of Upper Macungie Township held a public hearing on December 6, 2012 at @6:45 PM. Those present were Chairman Edward J. Earley, Vice-Chairman Samir P. Ashmar, Secretary Kathy A. Rader, Solicitor Andrew Schantz and Assistant Secretary Owen M. Bastian. Purpose of meeting as advertised in the Parkland Press on Nov. 21 and 28 to is a request of Kings Restaurant Group, LLC to transfer a restaurant liquor license to a location at Glenlivet West and Turnstone Drive , Upper Macungie Township, Lehigh County. This transfer is requested pursuant to the intermunicipal Transfer provisions of the Liquor Code, 47 Purdons Statutes 461(b.3). Residents of the Township may appear at the public hearing and be heard. A Court Stenographer recorded the meeting.

Attorney Ted Zeller representing the Kings Restaurant Group explained the request. The license being transferred previously belonged to Charlie Brown's Restaurant which went out of business. The new restaurant will be called Madeline's. The new owners have had years of experience in operating a restaurant with a liquor license and have never had any problems. The new building will have 3 floors including the basement. The basement is for offices, the first floor is the main restaurant floor and the second floor is a banquet room. Hours are from 11 AM to 9 PM on Sunday, Monday thru Thursday 11 AM to 10 PM and Friday and Saturday from 11 AM to 11 PM. Facility will also have an outdoor patio
The hearing was adjourned at 7:04


Kathy A. Rader, Secretary



BOARD OF SUPERVISORS

A special meeting of the Board of Supervisors of Upper Macungie Township was held on December 21, 2012, at 10:AM, at the Municipal Building. Those present were Chairman Edward J. Earley, Vice-Chairman Samir P. Ashmar, Secretary Kathy A. Rader, Police Chief Edgardo A. Colon, Public Works Director Scott Faust and Assistant Secretary Owen M. Bastian.

Chairman Edward J. Earley opened the meeting and asked all present to join him in the Pledge of Allegiance to the flag of the United States.

Purpose of the meeting to hire officers for the new UMTPD, act on resolutions for the 2013 budget, review purchase of a tub grinder and change the July 4th meeting date.

HIRING OF POLICE OFFICERS

Chief Colon reported that the following persons had been tested and qualified to be officers of the Upper Macungie Township Police Department.

Upon motion by Secretary Rader, seconded by Chairman Earley and unanimously approved the following persons are hereby hired to be officers with the UMTPD:

- William Easparro, Patrol Supervisor
- Daniel P. Fagen, Patrol Supervisor
- Joseph J. Geczi, Staff Sergeant
- Stephen J. Marshall, Jr., Patrol Supervisor
- Peter V. Nickischer, Patrol Supervisor
- Cory S. Reader, Traffic Unit Supervisor
- Adam X. Miller, Detective
- Darren W. Simmers, Detective
- Justin M. Wheeler, Detective
- Michael A. Cardell, Patrol Officer
- Robert G. Djevharian, Patrol Officer
- Joshua R. Forrester, Patrol Officer
- Donald M. Fregede, Patrol Officer
- Matthew R. Gardner, Patrol Officer
- Michael E. Holtz, Patrol Officer
- Steven F. Kress, Patrol Officer
- Pamela E. Mathias, Patrol Officer
- Nichlaus J. Morris, Patrol Officer
- Timothy J. Peters, Patrol Officer
- Ryan A. Rhoads, Patrol Officer
- William J. Rohrbach, Patrol Officer
- Dathan J. Schlegel, Patrol Officer
- Michael J. Sinko, Patrol Officer
- Adam S. Woodruff, Patrol Officer

Upon motion by Secretary Rader, seconded by Chairman Earley and unanimously approved the following pay schedule for the UMTPD is approved:

Patrol Officer (new hire)	\$51,000
Patrol Officer (Berks-Lehigh)	62,000
Detective	63,300
Sergeant	66,350

Same benefits as other UMT employees.

Swearing in and promotion ceremonies will occur on Friday December 28, 2012 at 4:00 PM and 7:00 PM.

Official Department Dedication ceremony will take place at the Police Administration Building on Tuesday, January 15, 2013 at 10 AM.

The following Resolutions were adopted:

RESOLUTION 2013 - 1 - 2013 BUDGET

Upon a motion by Secretary Rader, seconded by Vice-Chairman Ashmar and unanimously approved Resolution #2013-1 is hereby adopted:

Resolution #2013-1 "A RESOLUTION APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR THE SPECIFIC PURPOSE OF THE MUNICIPAL GOVERNMENT, HEREINAFTER SET FORTH DURING THE



YEAR 2013 BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF UPPER MACUNGIE, COUNTY OF LEHIGH, COMMONWEALTH OF PENNSYLVANIA"

Section 1. That for the expenditures and expenses of the fiscal year 2013 the following amounts are hereby appropriated from the fund equities, revenues and other financial sources available for the year 2013 for the specific purposes set forth in the amount of \$13,371,400 General Budget: \$1,769,000 Refuse/Recycling Budget: and \$6,196,400 Sewer Authority.

Section 2. That any resolution conflicting with this resolution be and the same is hereby repealed insofar as the same affects this resolution.

DULY ADOPTED this 21st day of December, 2012, by the Board of Supervisors of Upper Macungie Township in a lawful session duly assembled.

RESOLUTION 2013-2 - 2013 BUDGET

Upon a motion by Secretary Rader, seconded by Vice-Chairman Ashmar and unanimously approved Resolution #2013-2 is hereby adopted:

Resolution #2013-2 - "A RESOLUTION OF THE TOWNSHIP OF UPPER MACUNGIE, IN THE COUNTY OF LEHIGH, COMMONWEALTH OF PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 2013"

Be it resolved and enacted, and it is hereby resolved and enacted by the Board of Township Supervisors of the Township of Upper Macungie, County of Lehigh, Commonwealth of Pennsylvania: within the Township of Upper Macungie, subject to taxation for the fiscal year 2013 as follows:

Tax rate for general purposes, the sum of .64 mil on each dollar of assessed valuation.

For street light purposes, a front foot basis is used as follows: Fogelsville - .38; Trexlertown - .30; Breinigsville - .35; Chapmans - .33; all others areas based on a per lot assessment.

Fire hydrant purposes, the sum of .10 mil on each dollar of assessed valuation.

For general purposes the following local tax enabling taxes: real estate transfer one-half percent; earned income tax one-half percent; that any resolution or part resolution, conflicting with this resolution be and the same is hereby repealed.

Enacted on November 29, 2007 a local service tax of forty-seven (47.00) for the privilege of engaging in an occupation within the Township of Upper Macungie, providing definitions of said tax, providing exemptions from the tax, establishing collection procedures and establishing penalties for violation of these regulations, in accordance with Pennsylvania Act 7 of 2007.

DULY ADOPTED this 21st day of December, 2012, by the Board of Supervisors of Upper Macungie Township in a lawful session duly assembled.

TUB GRINDER

DPW Faust reported on possible purchase of a tub grinder thru the State COSTARS program. The grinder is available for the sum of \$258,850.00 less the trade in of \$55,000.00. Upon motion by Vice-Chairman Ashmar, seconded by Chairman Earley and unanimously approved DPW Faust is authorized to purchase the tub grader thru the State COSTARS program for the sum of \$203,850.00

JULY, 2013, BOARD OF SUPERVISORS MEETING

Since the regular meeting in July would be on the 4th of July she recommends changing the date to Wednesday July 3. Upon motion by Secretary Rader, seconded by Chairman Earley and unanimously approved the July 4th, 2013, meeting date is changed to Wednesday July 3rd.

The meeting was adjourned at 10:13 AM.


Kathy A. Rader, Secretary

